

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **Joseph Williams**

Cr.: 98-00613

Name of Sentencing Judicial Officer: William H. Walls

Date of Original Sentence: July 22, 1999

Original Offense: Bank Robbery (three counts)

Original Sentence: 90 months BOP custody, 3 years supervised release, \$53,781 in restitution, \$300 Special Assessment.

Type of Supervision: Supervised Release

Date Supervision Commenced: April 25, 2005

Assistant U.S. Attorney: Marc Agnifilo

Defense Attorney: Lorraine Gauli-Rufo, AFPD

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|--|
| 1 | The offender has violated the supervision condition which states ' You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month. ' |
|---|--|

The offender failed to report to the probation officer on the following dates: June 2 and June 29, 2006; January 22, January 31, July 23, September 21 and September 26, 2007.

- 2 The offender has violated the supervision condition which states **'The defendant shall provide the U.S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income.'**

On September 25, 2007, the probation officer left written instructions at the offender's residence directing him to complete a Personal Financial Statement and attach supporting documentation, to be submitted to the probation officer no later than October 19, 2007. He was also instructed to sign a release form for a credit bureau inquiry and to return this release form to the probation officer no later than October 19, 2007. The offender was also verbally given these instructions during a conversation with the probation officer via telephone on September 25, 2007, and was served with a written reminder dated October 9, 2007. On October 19, 2007, he submitted incomplete documents to the probation officer. The Personal Financial Statement did not include any supporting documentation and the release form for the credit bureau inquiry was unsigned.

- 3 The offender has violated the supervision condition which states **'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'**

Although the offender has reported income on all of his monthly supervision reports submitted to the probation officer thus far, he has not produced any verification of his employment or income since February 2007, despite being given repeated instructions by the probation officer to do so. (Specifically, he was verbally instructed to submit proof of his employment and income on June 7, 2007, August 6, 2007 and September 25, 2007, and was given written instructions to do so on October 9, 2007.)

- 4 The offender has violated the supervision condition which states **'You shall notify the probation officer within 72 hours of any change of residence or employment.'**

On October 19, 2007, after having been given repeated instructions by the probation officer to produce verification of his employment and income between February 2007 and September 2007, the offender provided the probation officer with a copy of a single paystub, dated May 6, 2007, which had been issued by Darden Restaurants (the pay stub was issued for employment between April 30, 2007, and May 6, 2007, and was for a net salary of \$204.04). He scribbled on the copy of the paystub that it was "proof of [his] income from February 2007 through May 2007." Not only has the offender failed to provide proof of his income for the months in question, but at no time prior to this did he ever inform his probation officer of any employment with Darden Restaurants and failed to indicate employment with Darden Restaurants on any of the monthly supervision reports he has submitted to his probation officer.


5 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

On September 25, 2007, the offender informed the probation officer that he had secured employment as a forklift operator. He reported being uncertain of the exact name or address of his employer, however. He was instructed by the probation officer to provide the complete name and address of his employer on his monthly supervision report for the month of September and to attach a pay stub to the monthly report. When the offender submitted his monthly supervision report for the month of September on October 19, 2007, he failed to provide the name and address of his employer and did not attach a pay stub.

6 The offender has violated the supervision condition which states '**You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**'

On September 25, 2007, when asked by the probation officer when he had last made a restitution payment, the offender stated that he had made a payment of \$1,000 toward his restitution on September 24, 2007. The offender was not being truthful when he stated this, as subsequent inquiry with the Clerk's Office revealed that this payment was never made.

I declare under penalty of perjury that the foregoing is true and correct.


By: Joseph A. DaGrossa
U.S. Probation Officer
Date: October 24, 2007

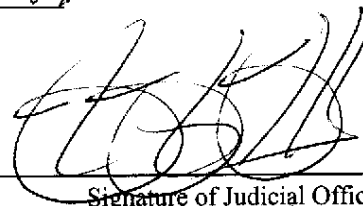
APPROVED:


RICHARD A. GALLO
Supervising U.S. Probation Officer

Date

THE COURT ORDERS:

- ☐ The Issuance of a Summons. Date of Hearing: 26 Nov 07
☐ The Issuance of a Warrant
☐ No Action
☐ Other



Signature of Judicial Officer



Date